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## PATENT

ATTORNEY DOCKET NO. 46969-5456

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re Application of:**

Kazuto SAKEMURA et al.

**Application No.: 10/594,904**

**Filed: September 29, 2006**

**Title: ELECTRON EMITTING DEVICE AND  
MANUFACTURING METHOD THEREOF  
AND IMAGE PICK UP DEVICE OR  
DISPLAY DEVICE USING ELECTRON  
EMITTING DEVICE**

**Examiner:** Unassigned

**Group Art Unit: Unassigned**

**Confirmation No.:** Unassigned

Commissioner for Patents  
U.S. Patent and Trademark Office  
**Customer Window, Mail Stop Amendment**  
Alexandria, VA 22314

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form 1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicants do not believe that a fee is due for filing this paper.

An International Search Report (ISR) dated July 5, 2005 having documents cited therein was previously submitted in this application on September 29, 2006. The cited documents, or English language patent family member documents relating to the cited documents (as indicated on the previously submitted ISR), are listed on the attached PTO Form 1449 and copies of the non-U.S. cited documents are also attached hereto.

Applicants also bring to the attention of the Examiner that WO 2002/05305, rather than WO 2002/003505 as listed on the ISR, correctly corresponds to JP 2004-503061, also listed on the ISR.

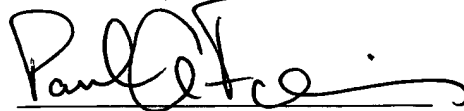
This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If it should be determined that the listed documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should any of the documents be applied against the claims of the present application.

**Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this Application, including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required and including any required extension of time fees, *or* credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**DRINKER, BIDDLE & REATH LLP**



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Dated: December 6, 2006

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<b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)	Attorney Docket No.: 46969-5456	Serial No.: 10/594,904
	Applicants: Kazuto SAKEMURA et al.	Page 1 of 1
<b>PTO Form 1449</b>	Filing Date: September 29, 2006	Group Art Unit: Unassigned

**U.S. PATENT DOCUMENTS**

*Examiner Initial	Document Number	Date	Name	Class	Sub Class	Filing Date
	6,472,814	Oct. 29, 2002	Yamanobe et al.			

**FOREIGN PATENT DOCUMENTS**

	Document Number	Date	Country	Class	Sub Class	<u>Translation</u>	
						YES	NO
	WO 02/05305	Jan. 17, 2002	PCT				
	WO 03/049132	Jun. 12, 2003	PCT				

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**


Examiner	Date Considered
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Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.